

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

RIMKUS CONSULTING GROUP, INC.,

Plaintiff,

V.

NICKIE G. CAMMARATA, *et al.*,

Defendants.

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CIVIL ACTION NO. H-07-0405

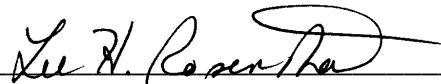
ORDER

Rimkus Consulting Group, Inc. filed an amended complaint against Nickie G. Cammarata and U.S. Forensic, L.L.C. on May 8, 2009. (Docket Entry No. 294). On July 2, 2009, Rimkus moved for entry of default judgment against the defendants for failing to answer the amended complaint. (Docket Entry No. 307). On the same day, Cammarata and U.S. Forensic filed an answer to the amended complaint. (Docket Entry No. 310).

The motion for default judgment is denied. There is no basis to conclude that the failure to file an answer earlier was in bad faith or intended to cause undue delay. The answer has now been filed and there is no indication of prejudice to Rimkus.

The outstanding discovery issues and motions will be addressed at the hearing set for August 6, 2009. At the present time, an earlier pre-motion discovery conference does not appear necessary.

SIGNED on July 8, 2009, at Houston, Texas.



Lee H. Rosenthal
United States District Judge